

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office.....DEC 18 1989.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed.....DEC 18 1989.....

The applicant.....Cind-R-Lite Block Co., Inc.....
.....3333 Cinder Lane....., of Las Vegas.....
.....Nevada 89103....., hereby make application for permission to appropriate the public
.....State and Zip Code No. City or Town

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.) Incorporated in Nevada on October 30, 1947.

1. The source of the proposed appropriation is.....Underground.....
.....Name of stream, lake, spring, underground or other source

2. The amount of water applied for is.....0.6.....second-feet
.....One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for.....industrial and domestic.....
.....Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point NE¼ SW¼, Section 17, T.21S., R.61E.,
.....Describe as being within a 40-acre subdivision of public

M.D.B.&M., or from a point from which the South Quarter Corner of said Section 17
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

bears S. 27° 50' E a distance of 1,645 feet.

6. Place of use.....Irregular parcel occupying portions of NE¼SW¼ and SE¼SW¼, Section 17,
.....Describe by legal subdivision. If on unsurveyed land, it should be so stated.

T.21S., R.61E., M.D.B.&M., and totalling 8.608 acres.

7. Use will begin about.....January 1.....and end about.....December 31....., of each year.
.....Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Drilled well with pump and motor and flow
.....State manner in which water is to be diverted, i.e. diversion structure, ditches and
meter; water transmitted via pipeline to place of use.
.....flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$50,000.00.....

10. Estimated time required to construct works existing well is 10" x 325' equipped with pump and
 If well completed, describe works.
motor; said well may be replaced by nearby new well

11. Estimated time required to complete the application of water to beneficial use (5) five years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This Application is being filed in accordance with and pursuant to the terms and
conditions of the Settlement and Release Agreement dated November 16, 1989 between
the State of Nevada and Allied Building Materials, Inc. attached hereto as Exhibit
1 and by reference made a part hereof. Annual consumptive use is estimated to be
142,000,000 gallons.

By s/William E. Nork
1026 West First Street
Reno, Nevada 89503

Compared bp/se bp/vw

Protested _____

APPROVAL _____ OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights and is further subject to revocation if and when water can be furnished by an entity such as a water district or a municipality engaged in furnishing water. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. It is understood that this right must allow for a reasonable lowering of the static water level. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the Settlement and Release Agreement dated November 16, 1989 between Allied Building Materials, Inc. and the State Engineer.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed 0.6 cubic feet per second, but not to exceed 267.84 acre
feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 20, 1991

Proof of completion of work shall be filed on or before May 20, 1991

Application of water to beneficial use shall be made on or before April 20, 1996

Proof of the application of water to beneficial use shall be filed on or before May 20, 1996

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____ IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 20th day of April

Cultural map filed _____

A.D. 19 90

Certificate No. _____ Issued _____

[Signature]
 State Engineer

(O) 5314 (Rev.)

CANCELLED JUL 17 1997 BECAUSE OF FAILURE
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature]
 STATE ENGINEER